THE OUTBREAK IN CABUL

VOL. XLVII.-NO. 13.

HOME FROM THE CONVENTION

WHAT THE POLITICIANS NAY AFTER THE CLOSE OF THE BATTLE.

Tammany Men Resteent as to their Plans-Aut-Tammany Professing Confidence of Gov. Robinson's Re-election Different Es-(imates of Tammany's Unknown Strength.

Most of the delegates to the Syracuse Convention returned to New York yesterday. A special train that arrived in the Grand Central Depot at 10 A. M. brought about two hundred, Among them were Gen. William F. Smith, Mayor Cooper, Police Commissioner James E. Morrison, Augustus Scheil, Frederick Smyth, Col. William R. Roberts, Alderman Thomas Shells. ex-Coroner Cornelius Flynn, Judge Patrick S. Duffy, and Judge John Callahan, Mr. Schell and Mr. Smyth looked serious, and had no opinion to express. Col. Roberts, who is understood to be John Kelly's candidate for the office of Sheriff, was not so lively as on the night of his departure for the Convention. If ficial expression is any indication of a man's thoughts, the Colonel was not as wholly confident yesterday of being Sheriff Reilly's auc-cessor. The two First Ward Judges had something to say. Judge Duffy was severe for the country Democrats. He called them Democrats from the "bucolie" districts, and said that Tamman; would teach them a lesson by defeating Gov. Robinson, Judge Cailahan is an ardent supporter of Gov. Robinson, and con-dentity predicted his election and the downfall of John Kells and Tammany Hall.

The train which is due in this city at 10:80 A.

M. did not arrive until 12:30 P. M. It brought but one Tammany Indian, namely, the reteran M-dictine Man of the tribe, Sachem Thomas Dunlap, He has taken an active part in all of Tammany's batties for the past forty years, and has now discovered for the first time that the word "bolt" is in Tammany's vocabulary. He was the last fammany man who reached Syracuse. and among the first to start for home after the Convention adjourned.

More than two hundred politicians returned store than two bundred politicians returned in the 7 P. M. train. Among the Tammanyites were Sachene Elward Kearney, Henry D. Purroy, Sidney P. Nichols, and Thomas Boese, Aldermen Fester, Keenan, George Hall, Slevin and Carroll, Assemblymen Hegen, Holahan and Sechenier, Edward D. Gale and his brother Deputy Sheriff D. G. Gale, Coroners Richard Croker and Heary Wolfman, ex-Senator Thomas J Geommer, Lieut, Goy, Dersheimer, er-Judge Joseph Kech, Charles W. Broke, Major William H. Olymey, ex-Adderman John

Relly and it is too early now to talk about figures.

The Irving Hall men were talkative. They regard the renomination of Gov. Robinson and the boil of the Tammany desgration as the forerunner of Tammany's desgration as a political power. All the Tammany men who came down in this train." said an anti-Tammany official, "are uncertain as to the result of Mr. Kelly's action. For that reason most of them have little to say. A few of them say openly that Mr. Kelly has made a mistake but most of them will not say what they will do until they have ascertained how Mr. Kelly's action is regarded by the rank and file of their party."

Mayor Gooper says that conversations with country Democrats at the Convention e-avinced him that the nomination of Gov. Robinson, in spite of Tammany's threat, would inregly increase his voice in the rural counties. The Mayor does not believe that the Governor will lose a very large number of votes in this city by the Tammany tolt.

Many anti-Tammany politicians believe that Mr. Kelly will not be a cambidate on election.

lose a very large number of votes in this city by the Tammany tolt.

Many anti-Tammany politicians believe that Mr. Kelly will not be a capilidate on election day. The Tammany General Committee, they say, will approve his action at the Convention, and ratify his nomination. But after that hurrah is over the soler second thought will come, and by election day most of his followers will be supporters of the regular ticket.

The effect of the holt upon Tammany's future will depend, in the opinion of the Tammany politicians, upon the strength which the organization shows in the election. If we elect our county ticket and give Mr. Kelly a respectably arge vote, "said one of their influential men, our organization will be as strong next our organization will be as strong next year as it new is. Of course, we have for letted our claim to be admitted into the Convention next year because of our regularity. But we will be given consideration because we shall be numerically the strongest Democratic But we will be given construction be about the smaller numerically the strongest Democratic organization in this city. If we succeed in defenting Gov. Robinson's redection we may be the means of organizing a contesting delegation from this Sinte to the next National Convention, if we are denied admission to the Sinte Convention at which the delegates to the National Convention are chosen. The men of influence in Tammany Hall, with scarcely an exception, processed to be confident, yesterday, that the Tammany parry would not be reorganized before the election, and that Mr. Kelly would not be obliged to resign. They said that the organization should stand by Mr. Kelly and would be as compact and efficient on election day as it is now, but liew admit that many of the members may withdraw from it.

withdraw from it.
he and Tammany Democrats, notably those belong to the party known as the Irving

WITHDRAWING FROM TAMMANY.

Ex.Assemblyman Louis C. Wachner also Sends in His Resignation.

ion to the resignation from the Tan . Hall General Committee of Senator Erelet - and of ex-Gov. Hoffman as a Sachem ex-Alderman Louis C. Wachner, who was the leader of the Tammany for es in the Common Council of hist year, vesterday sent in a letter of resignation, as follows: To Honey L. Chaine, E-q., Chairman Tammany Hall General

conicse of the representatives of Tammany

Half at the recent State Convention is in effect a declara then that it is the right of the minority to govern the major it to minurity rule, the smaller number are justi

marrier in this language. Is thy servant a dog that he that has severed its connection with the carty, and being unwithing to constitute my-ter its and the Republican party. I hereign to the tail of the Republican party. I hereign (Swinsting as a number of the Tamurany Committee Yours respectfully) MR. CORNELL SPEAKS.

The Republicans Serenading Their Nomine

The Hon. A. B. Cornell, the Republican candidate for Governor, was the recipient of a serenade last night, given at his house, 16 East Forty-second street, by the Cornell and Hoskins Campaign Club. The seronaders met at Fifth avenue and Forty-seventh street, where ex-Judge Dittenhoefer presided over an im-promptu meeting of the Twenty-first District Association. Speeches were made by Levi P. Morton, Wm. A. Darling, Ethan Allen, Gen. Tremaine, Major Bullard, and others, and resolutions were adopted endorsing the candidate and platform. The Campaign Club, under the leadership of Commis-sioner of Charities and Correction Jacob Hess, then formed the procession, headed by Grafulai's full Seventh Regiment Band, and proceeded through Fifth avenue, Fifty-second street, Sixth avenue, and Forty-second street to the front of Mr. Cornell's house, where a mass of people assembled extending almost from Fifth to Madison avenue. The band was concentrated about a brilliant oxy-hydrogen light, and played a variety of popular airs, among which "Pinafore" predominated, Meanwhile the house was crowded with leading politicians, among whom were Gen. Husted, Sheridan Shook, J. J. Hayes, United States Marshal Pays, Gen. Tremaine, Judge Cowing, Georgo Opdyke, Lewis Barker of Maine, Ethan Allen, Julius J. Langbein, S. H. Wales, Dwight Lawrence, Chauncey M. Depew. Shortly after 10 P. M. Mr. Hess appeared on the Wales, Dwight Lawrence, Chauncey M. Depew. Shortly after 10 P. M. Mr. Heas appeared on the stoop of Mr. Cornell's house, and in his stentorian voice nominated George Ondvke for Chairman of the meeting to preside over the confirmation of the nomination of Mr. Cornell. Mr. Ordyke delivered a prepared speech in a low, lattering voice, that could not be heard ten feet distant, and he received numerous directions from the crowd to talk louder. One man on the opposite of the street raised a roar of laughter by crying. "Give us a telephone." Mr. Opdyke concluded by moving a resolution approving the nomination of Mr. Cornell, which he declared carried, and then introduced Mr. Cornell, whose appearance was the occasion of prolonged cheering. Mr. Cornell read, in a clear, loud tone, the following speech:

Mr. Exprenders Friesder, I thank you cordially for the many existence of triendly consideration which I have received from you, and I then whose period of my read demonstration. Laplause I are not a superiod of my read demonstration. Laplause I are not seen to the first upon me by the Remblicans of this great latter in the discharge of the daties with which you in the last of the party. It has been my good fortune to have been deemed worthy of promition to the head of the Remblican column in the pending cancers.

While Mr. Cornell was speaking there was a slight disturbance occasioned by the discordant remarks of some one in the crowd, but good humor was restored by the time Major-Gen. Husted was introduced, amil cries of "Golt Jimmy!" Give us a little Lore Hess!" Mr. Husted's occuring allusion to the "magnificent audi-ness" was reactived with a prolonged and derisive "Oh!" Oh!" but he got along swimmingly after that queeting a little postry and giving a prolonged culculum of the Republican party. He wand up by warning his hearers to be vigilant, active, and brave.

A. W. Tennev of Brooklyn followed with another apotheosis of Republicanism, and wound up with a prediction that the party will be successful in 1880 with Ulysses S. Grant as their candidate. All this, he said, would come about because the people have learned that traitors cannot be reformed with gumdrops and sweetmeats. He spoke of the last Congress as "the rebel Congress."

Judge Cowing followed with another culogium

meats. He spoke of the last Congress as the rebel Congress."

Judge Cowing followed with another culogium of the Republican party, approval of Mr. Cornell, and a prediction of his triumphast election. Like most of the other speakers, Judge Cowing was sure that the sun of election day will set on a victorious result for Cornell and Hoskins.

Ex-Judge Dittenboefer, who was the next speaker warned Republicans that the comforts

Ex-Judge Diffennoeser, who was the next speaker, warned Republicans that the coming campaign will be one of hard work, and that it will not do to depreciate the strength of the ene-my. He said: "I am not one of those who be-lieve that the Tammany party in this city is going to cost the Democratic party agreat many votes. Mr. Cornell you will also elevate a lady who will dignify and grace the Executive Mansion at Albany. "[Cheers."

After a brief address by Mr. Hayes and a good-natured expression of thanks to the audience by Mr. Hess, the speaking terminated.

HELP FOR THE HOWARDS.

Jay Gould Sends Another \$5,000 for the Relief of the Memphis Sufferers. MEMPHIS, Tenn., Sept. 12.-The following

MEMPHIS, Tenn., Sept. 12.

despatches were received to-day:

New York, Sent. 12.

To W. J. Smith, Acting President Baseout, Lorentius, Memphis, 1 and 1 sent. you by telegraph an additional five themselved to the second.

JAY GOTLE.

To W. J. Smith, Acting President Huser J. Assentian, Memphis 1 sent of you by the great and an additional divertimental to-day. (Signed)

JAY COTES.

To W. J. Smith, Acting President Huser J. Assertance, Memphis Draw at such for one thousand dollars for the benefit of the Howard Association.

Jans R. McCarm,

Treasurer Pittsburgh Heiler Committee.

MEMPHIS, Sept. 12.-The following was tele-

MEMPHIS, Sept. 12.—The following was tele-graphed to Jay Gould this afternoon:
Your recondulars for \$5.000 reache to sto-day, Words are indequate to express the gratical sense which the Howard Association have of your princip generosity, but we have by deeds of kindness to sufferers, impossible lattice year thin by help, in praye that we are not at teacher unworthly to be the almoners of your housey. W. ft. Series, Actus President

private secretary called his attention to the newspaper report that the Howard Association of Memphis was about to discontinue its work in that city for want of cash. This report was a surprise to the public, because when Mr. Gould remitted \$5,000 to the association last week he directed the President to call on him for any necessary money. It was also a surprise to Mr. Gould, as he had expected to meet any demands that should be under of him. He expected, also, that when the Howard Association wanted more money they would notify him. He was exceedingly busy arranging his business affairs for an absence from the city of about three weeks on account of a trip that he is now taking with his family to Colorado. As he had only a short time before the departure of the train, he did not wait to advise with the Memphis people by telegraph, but drew a check of \$5.000. Ather he gave to his secretary, with instructions to transmit the money the first thing year-risk merning. The check was therefore taken to the Bank of New York, the bank that transmitted the first \$5.000, early yesterday morning. The amount was telegraphed at the opening of banking hours.

MEMPHIS Sent, 12.— Yellow fever has made another advance since list evening. The new cases reported to lay number ten whites and for any necessary money. It was also a surgraphed at the appening of bank ing hours.

MEMPIRS Seat, 12.—Yellow fever has made another advances since hast evening. The new cases reported to-lay number ten whites and eleven eveloped inside the city, and two whites outside the city. The death list numbers six walles and two colored inside the city, and two whites are Carl Valandre, 38 years; Thomas Ward, 2 years; W. H. Hanner, 20 years; J. B. Plaggio, 27 years; Mary D. Lee, 24 years; Wen, E. Lee, 12 years. The Lee family reside at 85 Third attent, as section of the city and hally infected. Three other members are now sieg, and it is probable that all will die, they having very had eases, Outside the city the dead whites are Mrs. E. C. Baster, 20 years, Lucy Station, twilve miles out on the Paducah read. No trains have been running on this road since the outbreak of the fever.

Dr. Collins of the National Board of Health Corris has resided a remaining furnace near the river hird. Into which furnace duly are thrown garbage, street sweepings, infected goods and elething in fact, everything that can be destroyed by fire.

The Howard visitors to-night report a number of new enses among blacks and whites sines yearledge. The weather has become damp and saltry, with much rain to-day and this is given as a reason for the sudden spread of the fever.

WASHINGTON, Sept. 12.—Telegrams received by the National Board of Health to-day report five new cases of yellow fever at Morgan City, and two mild oases in the infested district of New Orleans. SIDNEY P. NICHOLS'S CASE.

THE STAY OF PROCEEDINGS VACATED BY JUDGE WESTBROOK.

The History of the Proceedings Recited in Judge Westbrook's Opinion-The Points of Law Upon which the Stay is Vacated. Judge Westbrook yesterday afternoon in Supreme Court, Chambers, announced his deision vacating the stay of proceedings granted

by Judge Ingalls, upon the certiorari proceed-ings of Mr. Sidney P. Nichols. The following is the opinion: "A motion was made at the Albany Special Term in June last for a writ of certiorari directed to the Governor of the State and to the Mayor of the city of New York, for the purpose of reviewing their proceedings in the attempt to remove Mr. Sidney P. Nichols from the office of Police Commissioner of said city. Such motion was not missioner of said city. Such motion was not made ex parte, but was on due notice to the Governor, the Mayor, and the individual (Mr. MacLean) appointed to fill the supposed vacancy in the Police Board created by the alloged removal of Mr. Nichols. The application for the writ was fully argued by counsel representing all parties, and after a careful consideration, the Judge (Westbrook) who held such Term, and heard the argument, directed the writ to issue against the Hayor, but refused it as to the Governor. The refusal thereof as to the Governor was for the reason that under the charter of the city of New York upon which the alleged right of removal was based, the action of the Governor and Mayor was several and not joint. and as a valid removal required their separate concurring judgment, the reversal of that of either would afford to the relator complete relief. The order directing the writ to issue

concurring judgment, the reversal of that of either would afford to the relator complete relief. The order directing the writ to issue was entered in the county of Albany, but, by the terms thereof, it was made returnable at a Special Term of this count to be held at Chambers, in the city of New York, beind at Chambers, in the city of New York, beind at Chambers, in the city of New York of the first Monday instant, and to this direction the writ as allowed and served conformed.

The return to the writ has not yet been made, By order of a Special Term of this county of New York on the 30th day of August last, Mr. Justice Brady presiding, on the application of Mayor Cooper, the time for fling a return to such writ was extended to Tue-sday. Sent 2, 1879. The Mayor having taken an appeal from the order allowing the writ to the General Term of the Third Department applied to this court, at a Special Term thereof (Westbrook J., presiding), for a stay of proceedings pending such appeal. Upon such application for a stay counsel on both sides were fully heard, and, after careful and deliberate consideration (the Judge writing an opinion), the stay was refused, Such refusal was for the reuson that every question which the Mayor could raise upon the appeal from the order allowing the writ could as well be made upon an appeal to be taken from any judgment of this court, based upon the return, and the public interests requiring a promise stilement of the questions involved, the delay and loss of time occasioned by two appeals should not be incurred. To expedite a special Term was required to give a stipulation to argue the appeal at a General Term, to be held in the First Department in October next. That stipulation was required to give a stipulation to argue the appeal at a General Term, to be held in the First Department in October next. That stipulation was given, and a Steecial Term (Judge Westbrook presiding), was made to the General Term than he city and county of New York Special Term to vacate.

In disposing of the

that city and county is the spot where the litigation must be conducted.

Second—As the proceeding is pending in the
First District a motion to vacate a stay of proceedings made by a Judge out of court can
properly be entertained and heard by the court
held therein. No doubt has ever been enterlained by the profession on this point and it is
also expressly conferred by section 772 of the
Code. Section 776 contains no limitation upon
the general powers of the court. It prescribes
the practice to be pursued upon a second order
made by a Judge whea the same has been
wholly, or partiy, refused, or granted conditionally, or on terms by another, and makes it
the duty of the Judge granting the last order to
vacate it himself; and if he is absent, or
otherwise unable to hear the application, then
any Judge may do it upon proof, by affildavit, of
the facts.

Taird—Every question which the motion to

to vacate a himself; and if he is absent, or otherwise unable to hear the application, then any Judge may do it upon proof, by affidavit, of the facts.

Third—Every question which the motion to quash presents was considered upon the application for the writ of certiorari, and the appeal from the order allowing the writ will involve the same, identical propositions which are sought to be presented by the motion to quash. In substance, then, though not in form, the stay granted by Brother Ingalis is precisely what the Court, both at Special and General Term, has refused, and it was granted to enable not a superior tribunal, but the same, though held by a different Judge, to review past action or, in short, to permit one Judge to review the action of his judicial brother and peer. However much I may respect an associate—and the learning and integrity of Judge Ingalis are freely conceded—a careful consideration having induced ne to refuse a stay to review my action in allowing the writ by the General Term before a hearing was had upon the merics, in which the General Term has sustained my conclusion must compel a vacation of one which stops all action until a brother Judge has reviewed it.

Fourth—A motion to quash a writ must be made in the district in which it is returnable, or at a term held in a county adjoining that in which it is so returnable; and, as a rule, such motion can only be entertained after a return is, in fact, made. A stay of proceedings to enable a motion to be unheld even though a motion to quash it can be entertained (which is not conceled) when the allowance has been made on medion, and after a fall hearing.

Fifth—The writ was properly made returnable at the Chambers, Special Term. The term now being heid there is a Special Term. The term now being heid there is a Special Term. The term now being heid there is a Special Term. The term now being heid there is a Special Term of the Suprem Court, having all the powers and functions belonging thereto, of which it cannot be degrived by a rule whi

The first banner that has been hung out for Gov. Robinson in the city is ten feet long, but its width is not more than six inches. The reason that it is so

To the Editor of the Sun-Sr. Having noticed at inquiry by one of your readers regarding the reliability of the Kentucky State Lottery, I would state that my experience with the Kentucky State Lottery and certainly been a very pleasant and eat-sfactory one, as, in the last drawing of Aug. 30, my ticket No. 91,779, drew a prize of \$2,500, which amount was promptly paid to me on presentation of ticket.

Respectfully yours.

W. Rilly Critendon.

38 East 20th st., city.—Adv.

The Arm Chair

Att.

Nervous debility and weakness of generative organs positively enryd by Allen's Brain Food, \$1. Ditmon, Astor House; Zetz, 1,240 Broadway; Allen's, 915 1st av. Send for circular. Allen's, 915 1st av.

ROBERT ATWOOD PARDONED. The Forger Whose Crimes Startled Kentucky

NEW YORK, SATURDAY, SEPTEMBER 13, 1879.

Six Years Ago. LOUISVILLE, Ky., Sept. 12.-In 1873 this ity was startled by the report of the flight of and of large forgeries by Robert Atwood, perhaps the largest pork commission merchant in the Southwest. He had been a very prominent man in the social as well as commercial circles of the city. He was a vestryman of one of the leading churches. His father was well known in the interior of the State; his brother was an influential member of the Louisville bar; he had married the daughter of the most prosperous physician in Louisville; he had an inter-esting family of several children, and was altogether one of the most respected citi-zens of Louisville, as he was certainly the most popular man doing business in this section. No suspleion of his disgrace seems to have been entertained until a few hours before his flight. Then, by an accident, the eashier of the Bank of Louisville discovered that the name of Dr. Lewis Rogers, Atwood's father-in-law, had been forced to a note negotiated by Atwood. Learning of the discovery, Atwood made his way across the river into Indiana, but

had been forced to a note negotiated by Atwood. Learning of the discovery, Atwood made his way across the river into Indians, but was apprehended on the following morning, and brought back to Louisville and placed in iail. The details of nis crimes were developed rapidly. He had been forging his father-inlaw's name to notes, amounting in the aggregate to several hundred thousand dollars, for Lpward of three years. He legan the forgeries shortly after the return of Dr. Rogers from a trip to Europe, during which he had been intrusted by Br. Rogers with unlimited bower of alterney. To take up one forged note he would negotiate another. Only the absolute confidence reposed in his integrity made these continued losses in business, which prompted him to his first grime, he forged the names of business associates, his friends, and even of wealthy ladies, intimates of his family. Out of these forgeries grew suits at law, famous in the legal records of Kentucky, by which Dr. Rogers managed to save a part of his fortune; but Atwood's business partner, a rich but easy-going young man, was utterly ruined, as were various people in all ranks of life—even the noor wash-erwoman of his family, who had intrusted her savings to him. The banks also lest very heavily. The total amount of his forgeries and ilabilities amounted to over half a million of dollars.

Atwood's trial was the sensation of the day in Kentucky. He was sentenced to twenty years' confinement in the penitentiary. His wife, one of the most famous beauties in Kentucky, stood by him lovally during his trial and the first years of his confinement, but was finally persuaded by her family and friends to sue for a divorce, which was granted. His brother became insune because of the disgrace—the affection of the two to each other was exceptional—having bankrupted himself during the trial, and died in an asylum within a few months after the conviction.

Within a year or two after, during the affection of the was arraised by the proof that another prominent merchant of t

THE INTERNATIONAL TALK Concerning the Possibility of a Walk for the Astley Belt.

Yesterday morning the dickering between Mr. Hess, the representative of Sir John Astley, the lessees of the Madison Square Garden, and the Vanderbilt and Kelly & Bliss interests was resumed. There was to have been a meeting at the Garden at 11 o'clock in the morning, but Mr. Hess came late and explained that he had been at the Grand Central Depot. He said he had nothing definite to say. Rowell, Hazael, Panchot, Taylor, Ennis, and their friends and backers were present. John Scannell offered to wager one thousand dollars to ten dollars with Hess that the walk would not cothe 22d. Mr. Hess declined to bet. He said that if the matter was not soon decided he would act without consulting Mr. Vanderbilt or the Twenty-eighth street party. There were a few high words and much money was flourished by the sporting men. Mr. Hazael spoke carnestly about his desire for a welk after coming so many miles to engage in it. This was regarded as an accession to what is spoken of as the "American side." The sporting men boasted that they were aided by every one but Rowell and Weston in their opposition to existing arrangements. Mr. Hess was telegraphed for to return to the Vanderbilt conference. After he had gone the sporting men under the spokesmanship of the Davis's and John Scannell, declared that even if the Garden was obtained for the 22d inst, on the old twenty-five per cent, arrangement, they would withhold their support of the management, because they said that Mr. Scannell had learned from Al Smith that Mr. Hess was considering a proposition from Kelly & Bliss whether that firm was to obtain fifteen per cent, of the gate money and to prevent Mr. Vanderbilt for the party of the management. act without consulting Mr. Vanderbilt or the that Mr. Hess was considering a proposition from Kelly & Bliss whether that firm was to obtain fixen per cent, of the gate money and to prevent Mr. Vanderbilt from interfering. Mr. Scannell said that he had been officially informed that the walkers could have the Garden for twenty per cent, of the receipts during the first week in October, or fifteen per cent, during that week if nothing was furnished but the bare Garden; that the Garden could be obtained during the last week in October, after the O'Leary walk, for five per cent, or that it could be had for nothing in November, provided the bar privileges should be left with Mr. Vanderbilt, On this account the sporting men did not see why Mr. Hess should be allowed to spend twenty-five per cent, of the money they are about to earn.

At the conference in the Grand Central Depot, the public was excluded. It is understood that the persons present were Chaunery M. Deprew Mr. Vanderbilt's causes:

At the conference in the Grand Central Depot, the public was excluded. It is understood that the persons present were Chauneey M. Depew. Mr. Vanderbilt's counsel; Mr. Van Arsdale, the Superintondent of the real estate of the Hariem Bailroad; Mr. Kelly of Kelly & Bliss, and Messrs. Hess and Kuntz. It was there announced that Mr. Vanderbilt would be satisfied if the O'Leary people were satisfied. The O'Leary people are said to have asked for filteen per cent, of the receipts if the walk went on under the current lease. Mr. Hess next went to Connecticut and conferred with Mr. Westen, who is said to have retused to submit to the O'Leary terms. The Kuntz Brothers, parties to the present lease, also considered the demand exorbitant. One of the brothers said last night that after the conference he saw an eminent lawyer, who assured him he could dely Mr. Vanderbilt. It was understood to be necessary to stand prepared to give heavy bonds to answer any action prought by Mr. Vanderbilt. We have fried to get along peaceasidy and to satisfy all concerned, one of the brothers said last night, but we don't want to be understood to be necessary to stand propared to give heavy bonds to answer any action brought by Mr. Vanderbilt. We have fried to get along peaceasidy and to satisfy all concerned, one of the brothers said last night, but we don't want to be understood to be endesien or to be willing to give up a fortune without getting semething for oursely s. We feel like elemining our teeth and stan, we our ground."

Afterward Mr. Hess sentimed to consult with willing to give up a fortune without getting semething for oursely s. We feel like obenoming our teeth and stant, as our ground."

Afterward Mr. Hess confinued to consult with Al. Smith and Keliv of Keily & Biyss, and at intervals reappeared at the Garden, and indicated by his tone that time brought the agreement no nearer. At midnight Mr. Hess said that he housed to be about a announce a definite understanding this morning. He said that under no consideration were the Kelly & Biles people to have a band in the management, should their demands for gate money be acceded to. He set 11 o'clock in the morning as the probable time of his final decision. He said has believed the walk would take place in the Garden on the 22d inst, and one of the Kuntz Brothers declared he had never felt so certain of it before as he did then. The wakeers and the sporting men, on the other hand, seemed to have formed a combination against anything that Mr. Hess proposes; but it is understood that, under the rules of the contest, he has the power to make the protuninary arrangements, and they have no vote until niter they are made, at which time they can substitute another manager for him by a majority vote.

QUINCY, Ill., Sept. 12.—The pacing race to day was weakly Sliepy Ton, who tend the first third, and ourth helds in 217, 226, and 210. Rowdy Boy was the econd heat in 218. Modile Hunter was third, and Lucy 13th.

DOUGLASS ON THE EXODUS.

LET THE NEGROES BE COUNSELLED TO STAY IN THE SOUTH.

Nowhere Else is there for them a Promise of a Happy Future-But Let the North Gate be Left Wide Open for the Freedman. SARATOGA, Sept. 12 .- A large audience asembled at the session of the Social Science Association, to see and hear Frederick Douglass speak on the negro exodus from the South, and there was great disappointment when it was announced that Prof. Francis Wayland would read the paper sent by Mr. Douglass, who had been unable to attend.

Mr. Douglass thinks that the real cause of the exodus is given in the testimony of the emi-

aft. Douglass thinks that the real cause of the exodus is given in the testimony of the emigrants themselves. He says:

They say that they are hally treated at the South, that the indusivers, planters, and the old master class generally deal untainly with them; that having had their labor for nothing when they were slaves, the content of the content

Mr. Douglass thinks the exodus impolitic, be-

Mr. Douglass thinks the exodus impolitic, because of the enormous sums it would require to make it successful, and that it is ill-timed and in some respects hurful. He says:

At a time like this, so full of hore and courage, it is unfortunate that a cry of despars should be raised in behalf of the colored people of the South, he raised in the half of the colored people of the South, in the colored has been been as the poor colored men of the South, and telling the need that the Government has he power to entore the Constitution and laws in that section, and that there is no hope for the poor regret but to plan him in the new soil of Kunsas and Nebraska. These men do the colored people of the South a real damage. They give their effectives an advantage in the argument for their manhood and They assume the inability of the colored people of the South a real damage. They give have been dependent of the back care of themselves; the country will be told of the destination of the thousands who are a full Louisiana. They will be told of the destination of dellars, and a south a fail, dat not a die maintage the machine and themselves where they are. In George first material sing fort not at the maintage of the forms and in Louisiana themselves where they are. In George first material sing fort not at the maintage of dellars, and in Louisiana land torry or first millions, and upon ascertained sums sleavabler in the Southern States. Why should a recode

Mr. Douglass goes on to argue that the negro had better stay in the South, because in that part of the country he can find the best market fest, it decessity. He has a monopoly of the labor market. Mr. Douglass continues:

labor market. Mr. Douglass continues:

As there are no competitors or substitutes, be can demand laving prices with the certainty that the demand will be counsied with. Exodus would derive him of hissad wantage. It would take him from a country where the land owners and slanters must have his labor, or allow their fields to go untilled and their pures unsupplied and presh, to a country where the land owners are able and presh, to a country where the land owners are able and presh, to a country where the land owners are able to the country where the land owners are able and presh, to a country where the land owners are able to the country where the land owners are able and presh, to a country where the land owners are able and presh, to a country where the land owners are able and presh, to effect of this will at certain session of the year. The effect of this will be created with what result let the nast tell. They will be created with what result let the nast tell. They will be created with the necessaries of life, and will readually die out. In anything like a normal couldition of things the south is the best place for the nervo. Nowhere clse is there for him as pronues of a happaer future. Let him stay there, if he can, and save both the South and himself to civiliation. While, however, it may be the highlest wisdom. The proposed of the south and himself to civiliation. While however, it may be the highlest wisdom. The proposed of the south of any him, to keep the North gate of the South on any him, to keep the North gate of the South on any him, to keep the North gate of the South on any him, to keep the North gate of the South meeting and white and to all the people. The time to assert a right, we'seer sax, is when it is called in question. If it is attempted by orce or fraud to compel the colored people to is stay there, they should by all mean good people with.

protected by military power, have his rights en-loreed by the courts, or secure them through emigration. None were available or practicable except the last. By emigration the negro will best learn to live rightly and well and unlearn bad habits. When Mr. Douglass grants, in his paper, that if half of the wrongs done to the negroes is true, then the exadus is justified, he grants the whole question at issue.

DIED OF CHLOROFORM.

Maturia Livingston Found Dead in a Room in the Hoffman House.

Maturin Livingston, Jr., arrived at the Hoffman House on Thursday morning, and was assigned to room 146 in the fifth story and looking upon the area. He was last seen in the notel office about 2 o'clock in the afternoon.

THE CHISHOLM MURDER TRIAL. Proof on Which the Prosecution Bass a Cor

spiracy-A Verdlet of Not Gutty. DE KALD, Miss., Sept. 12 .- The court which is trying the case of the State against Henry J. Gully for the murder of Cornelia Chisholm, having adjourned at 6 P. M. yesterday that the sick juryman might not too become fatigued, convened at 9 A.M. to-day. The sick juryman is 57 years of age, and, being unable to sit up. was this morning provided with a comfortable bed, where he lay during the concluding argument of Judge Morris on the part of the prose

Judge Morris's argument was to the effect that a conspiracy was formed to kill Chisholm and Gilmer. In order to carry out this design the conspirators had an affidavit made before the conspirators had an affidavit made before a magistrate charging Chisholm, Gilmer, Rosenbaum, and Hopper with having murdered, or aided and abetted in the murder, of John W. Gully, a few days previous. That the object of this step was to disarm the victims, Chisholm and Gilmer, and thus place them in such a position that they could not defend themselves, nor be defended by their stanch friends, Rosenbaum and Hopper, the only men most likely to stand by them and defend them; that the sole cause of the imprisonment of these four men was that the conspirators could more easily, and with less danger to the massless, take the lives of Chisholm and Gilmer. The principal facts sworn to in support of this theory were the shooting of Gilmer on the streets while on his way to fall in the presence of the defendant, Henry Gully; declarations made by two young men that day to two negroes a short distance from town, that they had better turn back and not go to town, as—was to be played; the killing that day, as he left the jail, of McLellan, who had been acting as one of the guards of Chisholm, Rosenbaum, and Hopper in the jail, and who had been discharged by the Sheriff; the final wounding of Chisholm as he came down the stairway from the second floor of the juil at the alarm of fire, at which time Cornelia was wounded; and, finally, the declaration of the defendants soon afterward that they had done what they came to do, and according to some winesses the further remark; "If there is any hanging to be done here is my neck."

This last declaration was testified to by only three witnesses, two near friends and one relative of Chisholm. Athough others standing near had equally as good opportunity of hearing it, uttered, none of them remembered it; and Thos, H. Woods, in his argument for the defence, called the attention of the jury to this strange fact, and requested them to consider why the prosecution could produce no other witness to this declaration than the face relatives and friends of Chisholm, the last men to whom a magistrate charging Chisholm, Gilmer, Ro-

tives and friends of Chisholm, the last men to whom the defendant would think of making such an utterance.

The theory of the defence was that these men all came to town armed simply to assist the Sheriff in the arrest of the parties charged with the murder of John Gully in case they should resist, with no predicated design or conspiracy to take the life of any one; that the declarations of the young men to the two nagroes in the road, a short distance from town, if made at all-for the credibility of the neart owitnesses on this point was affected—meant only that Chisholm and Gilmer would probably resist arrest, in which event there would be. Hell to pay, which construction the defence argued most effectively and plausibly; that on the shooting of Gilmer by some hotblooded young man—for the one who shot him was almost a boy—the flame burst out among the younger men, which the older could not control, and which resulted in the death of Judge Chisholm and his chidren. The fact was in proof that the defendant did at the moment before the shoating of Cornella and her father, close the stairway door in front of them as they were descending the stairs, so as to shield them from the mob, at the time telling Chisholm if he valued his life to turn back; that defendant had no gun at that time himself, and that he invoked the crowt, who was just about to shoot at Chisholm, to leave the jail and go away. Judge Moria closed his argument for the go away.

Judge Morris closed his argument for the State at 10% A. M. The case was given to the lura, Jud's will a vlose, the act of far.

GOV. M'CLELLAN ILL. Excitement Caused in Newark by Palse Re-

ports that He was Dying. Much excitement was occasioned in Newark yesterday morning by a rumor that Gov. George B. McCiellan was lying dangerously ili in his residence near St. Cloud, on the Orange Mountains. A gentleman who had an appoint-ment with Gov. McClellan called at his residence on Thursday afternoon, and was in-formed that the Governor had been suddenly taken very ill, and was then under the influence of morphine. The Governor's family physician, Dr. William Pierson of Orange, the gentleman was told, would not let his patient be disturbed for at least twenty-four hours. This of conspicuous politicians gathered at the telegraph and newspaper offices to seek further information as to the Governor's condition. At 11 o'clock the following despatch was received from Orange:

The Governor is no better. Three dectors are with him.

him.

An hour later it was rumored that the Governor was dying, and subsequently somebody started a report that he was dead. Politicians began to discuss the question of who would be his successor. Many telegrams were sent to Orange asking for information as to the Governor's condition. At 3 o'cick a despatch was received in Newark from Dr. Pierson of Orange saying that the Governor was much ensier, but was confined to his bed. Scores of persons called at the telegraph office in Newark last evening to ask for news from the Governor's bedside.

A reporter for The Sun found Dr. Pierson in

evening to ask for news from the Governor's bedside.

A reporter for The Sun found Dr. Pierson in his residence, in Orange, at 8 o'clock last evening. The Doctor lauched heartiff when he was told of the report that had been circulated in Newark. He said that Gov. McCleilan would have a good laugh to-day when he heard that the politicians were discussing who would be his successor, and when and how he should be his successor, and when and how he should be cleeted. The Governor was not, Dr. Pierson said, dangerously ill at any time, although he was in very great pain, yesterday morning and alternoon. Br. Pierson did not find it necessary to remain at the Governor's bedside all of Thursday night, as had been remored, nor was any other physician summoned. "You may say, if you like, that the Covernor had a severy rattack of cole," said Dr. Pierson, "with intense pain in his kidneys. He is now resting well, the pain is gone but he is, if course, quite weak and nervous. Morphine wat, used only that he might not suffer too much from the pain."

MRS. SPRAGUE'S PETITION.

What Bearing it is Supposed to Bave-An-PROVIDENCE, Sept. 10,-Application was

made to ex-Governor Sprague yesterday by his wife's lawyers for wearing apparel which she left at Canonchet at the time of her flight. The reply, through Mr. Clark of Kingston, Mr. Sprague's lawyer, is known to have been courtoous and in the affirmative. Mr. Sprague is reported to have said, when the matter was referred to him; "Certainly, anything she is in need of she can have. I was not aware that she did not take all of her wardrobe that she required." It is the belief among many persons here that Mrs. Sprague is in the vicinity of New York city. Assurances are given that she and her three children arrived at confortable quirtiers soon after the hardships of their flicht along the shore of Narragansett Bay, and that she is now within easy communication, either personni or by telegrant, with her counsel.

It is not likely that the hearing of the argument on Mrs. Sprague's petition for a trustee to take charge of her property will be again postponed when it comes up for hearing on Saturday morning. The argument will be had, but what position Mr. Elisha Clark Mr. Sprague's lawyer, will take he refuses to disclose. It is consequent to the under in dispute, was not touch for with Mrs. Surague's own money though purchased to be in her name, and that whether or not it then becomes to the property of the property will be her property will be a proposed to be in matter in dispute, was not touch for with Mrs. Surague's own money though purchased in her name, and that whether or not it then becomes to the property of the property of the property will be her name, and that whether or not it then becomes the property of referred to him: "Certainly, anything she is looking upon the area. He was last seen in the notel office about 2 o'clock in the afternoon. Yesterday morning about 10 o'clock, after severed unsuccessful attempts to get into room 146, the chamber and went out upon the ball seed of the chamber and went out upon the ball seed of the chamber and went out upon the ball seed of the chamber and went out upon the ball seed of the chamber and went out upon the ball seed of the chamber and went out upon the ball seed of the chamber and went out upon the ball seed of the chamber and went out upon the ball seed of the chamber and the door was opened Mr. Livingston, was found dead on the ball. One has a found dead on the ball of the ball o

OTHER CITIES REVOLTING AGAINSS THE AMEER'S AUTHORITY. Arrangements to Put Down the Insurrection
-Three Columns of Troops Take Possession of the Country-The Ameer not Dond. LAHORE, Sept. 12.-A Hindoo attached to Major Cavagnari's mission, who concealed himself during the attack by the mob and who escaped at night, has arrived at Kiratza. He reports that the Embassy was attacked in the norning and the building set on fire at noon. but that they held out until evening. He believes that all the others connected with the mission were killed. The Ghilzais near Shu-

targardan have promised to assist the British with transportation.
Simila, Sept. 12.—A confidential agent from Yakoob Khan is waiting at Ali Kheyl to ask the British to advance. Gen. Roberts is expected at Ali Kheyi to-day. The inhabitants of Candahar are well-disposed. Reports relative to the movements of the mutineers are conflicting. Some official despatches revive the rumor that

they are approaching the frontier.

Yakoob Khan has written to the Governor of Candahar informing him of the massacre at Cabul, and ordering him to follow the advice of the British authorities. The Government has sanctioned the construction of a railway in the Bolan Pass.

LONDON, Sept. 12.-As the Viceroy's despatches to-day mention nothing of the death of the Ameer, it is considered that the report of his murder or suicide may be put aside as unfounded.

A despatch to this morning's Standard, from Bombay, says: "Reports from Mooltan say that Herat, Badakshan, and Balkh have all revolted against the Ameer. A holy war is preached throughout Afghanistan."

The Press Association announces that de-spatches to the Government confirm the appre-

preached throughout Afghanistan."

The Press Association announces that despatches to the Government confirm the apprehensions of an organized opposition by the population. The Vicercy, however, is sanguine of quick success. It is believed that preparations are making for an advance in sufficient force to pursue the Herster regiments. It is said that Gen. Donald Stewart will have supreme command of the operations in Afghanistan.

The Times points out that the Government of India is systematically concealing the news concerning military instructions. The rumors, which are pleatiful, must be accepted with reserve. All that is certain is that the plan of operations successfully followed last autumn will be repeated this. Three columns will follow the same routes, starting, however, from the scientific frontier instead of from the cantonwents, which, in 1873, marked the boundary. The Khyler and Candahar columns will probably be mainly confined to making demonstrations and holding marauding tribes in awa. The troops of the centre column are at this moment being pushed up from Kohat to Kuranisco that in a few days we may expect to hear that the whole force now in the valley to the cast of Pelwar have been transferred to the western slope. When once the position of the Shutargardan Paes has been occupied in force and rendered impregnable, a forward movement will be made to Kushi, about fourteen miles distant. Provisions of all sorts are to be obtained around Kushi, and it will probably be compelled to hold the cast of Pelwar have been transferred to the western slope. When once the position of the Shutargardan Paes has been occupied in force and rendered impregnable, a forward movement will be made to Kushi, about fourteen miles distant. Provisions of all sorts are to be obtained around Kushi, and it will probably be converted into an extensive depot. Gen. Roberts's assessment of the military arrangements under date of Septing Alley and the start of the military arrangements under date of Septing of the Shutargardan P

correspondent of the Daily Nees at Aliahabad says that the orders are to occupy Cabal with or without the Ameer's consent.

RANGOON. Sout. 12.—A Government steamer has left Mandalay, bringing down the staff of the British Residency at that place. Fears had been entertained that King Thebaw would follow the example set at Cabul by massacring the Embassy.

THE LATEST OLD WORLD NEWS.

Impending Russian Ministerial Changes.

LONDON, Sept 12 .- Despite the Journal of SL Peresbay's implied denial of the report that important thanges in the Russian diplomatic service have been de-cided upon, there is evidently a very unsettled icelling in official circles in Russia. The Russian Principle, A St. Pereburg newspaper, gives, under reserve, a list of the

LONDON, Sept. 12.-The race for the Doncaster Cap came of at the Done aster September meeting to day, and was won by Mr. F. tiretish's four years old hay full January. Lard Falmouth's four years old hay full January.

LONDON, Sept. 12 .- About one-half of the cotton operatives at Ashton came out on strike yesterday. The rest of them will follow smt te-morrow.

At a meeting of the carthenware maintracturers of Hanley they unanimensly resolved not to renew contracts with the workmen except at a ten per cent reduction of wages. The master strongly oppose arbitration of the question, which is desired by the men. This movement affects 40,050 work people.

British Cotton Operatives on Strike.

Bismarck and Andrassy.

VIENNA, Sept. 12.—Baron Haymerle, Austrian Embassador to Rome, will be present at the interview ba-tween Prince Bismarck and Count Andrasse Prince Bismarck will be received by the Emperor Francis Jo-seph during his visit.

MINNEAPOLIS, Minn. Sept. 12.—The North-vestern Namonal Bank of this tity was the morning dis-overed to be the victim of a heavy emb zelement. The eficit was discuscred by the Bank Examiner, who

Hamila Naming Blaine for the Presidency. PORTLAND, Me., Sept. 12.—At a Republican meeting here to night, speeches were made by Senators Hamlin and Blaine and others. Mr. Hamlin closed by

The Thermometer in New York Yesterday. At Hudnut's pharmacy at 3 A. M., 59°; 6, 58°; 65°; 12 M., 69°; 3); P. M. 70°; 0, 67°; 9, 64°; 12 M.*

The Signal Office Prediction.

Increasing cloudiness, with light rain, warm sautherly, vering to cold northwest winds, laking loss loved by rising barronetes.